

REMARKS

In the subject Office Action, the examiner rejected Claims 1-4 under 35 USC 103(a) as being obvious over Cuevas '010 in view of Cech et al. '491. Applicants request reconsideration of their application in view of this amendment, which amends Claims 1-5 and provides argument in support of patentability of the pending claims.

Applicants assume that the examiner intended to reject Claim 5 for the same reason as Claims 1-4. Applicants have amended Claim 1 to more clearly distinguish over the cited prior art, and have additionally amended Claims 2-5 to correct an inadvertent claim drafting error.

Applicants respectfully submit that Claims 1-5 as amended herein clearly distinguish over any combination of Cuevas and Cech et al. Applicants agree that Cuevas discloses tethers 80 coupled between front and back sheets of a seat bladder 50, but submit that the tethers 80 are different than the claimed elastomeric tethers, and that the differences result in radically different functionality that dictates against a finding of obviousness under 35 USC 103(a). According to Cuevas, the "tether walls 80 are rigid enough to maintain the bladder 50 in its deployed condition" -- that is, with the tethers fully extended as in Fig. 2 --, and yet "flexible enough for the bladder 50 to be compressively deflected under the influence of loads applied ... by an occupant of the rear seat" -- that is, with the tethers deflected as in Fig. 3. In other words, the tethers 80 disclosed by Cuevas are fully extended when occupant force is not applied to the bladder 50, and partially collapse when occupant force is applied to the bladder. Their purpose, of course, is to maintain bladder 50 in a deployed (i.e., inflated or fully extended) state, while allowing it to temporarily deflect when occupant force is applied to bladder 50.

Amended Claim 1 states that Applicants' tethers "are in a state of partial collapse when no occupant weight is applied to said seat". This distinguishes from Cuevas, where the tethers 80 are in a fully extended state when no occupant weight is applied to the seat. Amended Claim 1 further states that "tethers in any given portion of said bladder: (1)

further collapse when occupant weight is applied to said seat and causes the bladder fluid to be displaced from said given portion of said bladder, and (2) extend to restrict separation of said upper and lower sheets when occupant weight is applied to said seat and causes the bladder fluid to collect in said given portion of said bladder. See Applicants' specification, page 5, lines 1-10. This distinguishes from Cuevas, where the tethers 80 are incapable of extending when occupant force is applied to the bladder 50, and in any event do not restrict separation of the front and back walls of the bladder 50 when occupant force is applied to the bladder 50 (in fact, they serve the opposite function, as discussed). Accordingly, amended Claim 1 distinguishes over Cuevas both structurally and functionally; this rules out a rejection of Claim 1 under 35 USC 103(a) based on a combination of Cuevas and Cech et al. since Cech et al. do not teach anything about bladder tethers.

For the reasons given above, Applicants submit that Claim 1 is patentable over the prior art of record. Additionally, Applicants submit that Claims 2-5 are patentable at least by virtue of their dependency from Claim 1. Accordingly, Applicants respectfully request withdrawal of the rejection under 35 USC 103(a) and allowance of Claims 1-5 as amended herein.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Mark A. Navarre". The signature is fluid and cursive, with the first name "Mark" and last name "Navarre" clearly distinguishable.

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